

Appl. No. 10/729,470
Amdt. dated December 5, 2006
Reply to Office Action of March 13, 2006

REMARKS/ARGUMENTS

Claims 1- 44 are pending in this application.

New claims 41-44 have been added, which are directed to paper towel products.

In response to the Office Action mailed March 13, 2006, Applicants offer the following remarks to overcome the grounds for rejection.

Claims 2-3, 13-15 and 35 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite with regard to whether the recited b-value refers to the packaging film or the product. However, it seems to be clearly stated that the b-value change refers to the consumer product, not the packaging film. In claim 2, for example, it recites "wherein the consumer product has a b-value that changes ...". The same is true for all of the other rejected claims. Therefore it is believed that the rejection is not proper.

Claims 1-5, 7-9, 11-17, 19-21, 23 and 24 stand rejected under 35 U.S.C. 103(a) as being unpatentable over US 2003/0093049 A1 to Johnson et al. in view of U.S. 5,558,912 to Fagerburg et al. It is asserted that Johnson et al. discloses a film wrapping element, which can be polyester, for an absorbent article. The film can contain UV absorbers. Since the absorbent article contains cellulose, it is asserted that the film wrapping element will inherently protect the cellulose from yellowing. It is further asserted that Fagerburg et al. teaches films containing polyesters and UV absorbers to prevent yellowing of the films when exposed to sunlight or other UV sources and that changes in b-values are dependent upon the presence of the UV absorbers. Therefore it would be obvious to modify the products of Johnson et al. to have Applicants' claimed b-values or brightness changes.

However, neither Johnson et al. or Fagerburg et al. teach or suggest providing a UV protective packaging film in combination with a consumer product to prevent the consumer product from yellowing as claimed. In particular, the film "wrapping element" of Johnson et al. is not a packaging film. Instead, it is a component of the absorbent article itself. Note the definition of the term "wrapping element" at paragraph [0016], which states that it refers to "an element of an absorbent article". This is consistent with all of the teachings of Johnson et al., including Figure 1, which shows a tampon with the wrapping element designated as reference number 12. It is also noted that the wrapping element is "apertured", which is necessary for the wrapping element to

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function as part of the absorbent article. This is contrary to the function of a packaging film of Applicants' invention, which obviously serves to protect the product from liquids. The mere fact that an absorbent article has an apertured film component is not suggestive of providing consumer products with a UV-protective packaging film to prevent yellowing. Further in this regard, it is noted that the secondary reference, Fagerburg et al., teaches the use of UV absorbers to prevent yellowing of the film itself, not something packaged in the film. Therefore, for all of the foregoing reasons, the combined teachings of Johnson et al. and Fagerburg et al. do not suggest the packaging system claimed by Applicants.

Claims 6, 10, 12, 18, 22 and 24 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. in view of U.S. 6,610,173 to Lindsay et al. It is asserted that Johnson et al. essentially teaches the invention as claimed. Lindsay et al. teaches a film having elongation and gauge effecting the web stiffness and also teaches tissue products containing BCTMP fibers which are packaged with a poly film. Therefore it would have been obvious to produce a consumer product that has low brightness changes.

However, Applicants do not agree that "Johnson et al. essentially teaches the claimed invention" as asserted in the rejection. As discussed above, Johnson et al. teaches nothing about wrapping consumer products, such as tissues and towels, in packaging films containing UV protective materials. While Lindsay et al. discloses consumer products wrapped in poly film, that merely restates what Applicants discussed in the Background of the Invention of their specification (page 1, lines 6-16). This teaching is not suggestive of Applicants' claimed system set forth in independent claims 1 and 13, from which all of the rejected claims depend. Therefore it is believed that the rejected claims are not obvious from the teachings of the two cited references.

Newly added claims 41-44 specifically claim one or more paper towel products wrapped in a UV-protective packaging film. This specific combination is not taught or suggested by the teachings of the cited references for all of the reasons discussed above.

For all of the foregoing reasons, it is believed that this application is in condition for allowance and such action is earnestly solicited.

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The undersigned may be reached at: (920) 721-3616.

Respectfully submitted,

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